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DOCKET NO. TOS-125-USA-D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
M. Egawa, et al.

Serial No.: 09/989,459

Art Unit: 1619

Filed: November 21, 2001

Examiner: L. Wells

For: Method of Treating Environmental Stress

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to an action of the United States Patent and Trademark Office. This occurred due to a docketing error and also to the fact that the undersigned did not timely receive the last Office Action by mail due to relocation of the office of the undersigned.

Attached hereto is a Response To Notice Of Non-Compliant Amendment, together with an attached Amendment To The Claims as required by the Examiner in the Office Action, Paper No. 17, mailed November 24, 2003. This response is believed to be a good-faith attempt to fully and completely respond to the outstanding Office

Actions.

Attached hereto is a check in the amount of \$ 1330.00 to cover the fee for this Petition For Revival Of An Application For Patent Abandoned Uninentionally Under 37 CFR 1.137(b).

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. The delay in filing the grantable petition was due to a docketing error in the office of the undersigned and to the fact that the office action was never received in the undersigned's office until it was faxed by the Examiner to the undersigned sometime in February 2004, at which time the docketing error occurred.

Respectfully submitted,

TOWNSEND & BANTA

A handwritten signature in dark ink, appearing to read "Donald E. Townsend", with a stylized flourish at the end.

Donald E. Townsend
Reg. No. 22,069

Customer No. 27955

TOWNSEND & BANTA
601 Pennsylvania Ave., N.W.
Suite 900, South Building
Washington, D.C. 20004
202)220-3124

Date: September 10, 2004